

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JAMES JEFFERSON MURRY,

Plaintiff,

v.

DODGE CORRECTIONAL INSTITUTION
and NURSE BURLING,

Defendants.

ORDER

Case No. 17-cv-938-bbc

Plaintiff James Jefferson Murry, an inmate in the custody of the Oneida County Jail, has submitted a proposed civil action under 42 U.S.C. § 1983. Plaintiff has submitted a motion to proceed without prepaying the filing fee along with a trust fund account statement for the month of September 2017 in support of his motion.

To evaluate plaintiff's request to proceed with prepayment of the filing fee, I must review a certified copy of plaintiff's inmate trust fund account statement (or institutional equivalent) covering the six-month period preceding the filing of the complaint to determine if plaintiff qualifies for indigent status and if so, assess an initial partial payment of the \$350 filing fee. However, a decision regarding plaintiff's indigency status cannot be made at this time because the trust fund account statement submitted does not cover the *entire* six-month period immediately preceding the filing of the complaint.

Plaintiff must submit a certified copy of a trust fund account statement for the *entire* six-month period immediately preceding the filing of the complaint beginning approximately June 12, 2017 and ending approximately December 12, 2017. Once the necessary statement has been submitted, I will calculate the initial partial payment and advise plaintiff of the

amount due before the court can screen the merits of the complaint under 28 U.S.C. § 1915(e)(2).

ORDER

IT IS ORDERED that plaintiff James Jefferson Murry may have an enlargement of time until January 9, 2018 to submit a certified trust fund account statement for the period beginning approximately June 12, 2017 and ending approximately December 12, 2017. If, by January 9, 2018, plaintiff fails to respond to this order, I will assume that plaintiff wishes to withdraw this action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing the case at a later date.

Entered this 18th day of December, 2017.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge